

different” from other punishments we impose. Whether one supports the death penalty or opposes it, there should be no question that the gravity and finality of the penalty demand that we be certain that when it is imposed, it is imposed fairly.

As I have said before, supporters of capital punishment bear a special responsibility to ensure the fairness of this irreversible punishment. Further, Article II of the Constitution vests in the President the sole authority to grant pardons and reprieves for Federal crimes. Therefore, I have approached this matter with great deliberation.

This fall the Department of Justice released the results of a statistical survey of the Federal death penalty. It found that minority defendants and certain geographic districts are disproportionately represented in Federal death penalty prosecutions. As the Deputy Attorney General said at the time the survey was released, no one confronted with those statistics can help but be troubled by those disparities. We do not, however, fully understand what lies behind those statistics. The Attorney General has said that more information and a broader analysis are needed to better interpret the data we now have and to determine whether the disparities that are evident reflect any bias in our system. She has undertaken an effort to gather and analyze the relevant information so that an appropriate decision can be made on the question of bias.

After a close and careful review of this issue and after conferring with the Attorney General and the Deputy Attorney General, I am not satisfied that, given the uncertainty that exists, it is appropriate to go forward with an execution in a case that may implicate the very issues at the center of that uncertainty.

In issuing this stay, I have not decided that the death penalty should not be imposed in this case, in which heinous crimes were proved. Nor have I decided to halt all executions in the Federal system. I have simply concluded that the examination of possible racial and regional bias should be completed before the United States goes forward with

an execution in a case that may implicate the very questions raised by the Justice Department’s continuing study. In this area, there is no room for error.

I have asked that the Attorney General report to the President by the end of April, 2001, on the Justice Department’s analysis of the racial and geographic disparities in Federal death penalty prosecutions.

Statement on Action To Implement the Energy Employees Occupational Illness Compensation Act of 2000

December 7, 2000

Today I am pleased to sign an Executive order that will help implement the Energy Employees Occupational Illness Compensation Act of 2000, which authorized compensation for thousands of Department of Energy workers who sacrificed their health in building the Nation’s nuclear defenses. These individuals, many of whom were neither protected from nor informed of the hazards to which they were exposed, developed occupational illnesses as a result of their exposure to radiation and other hazards unique to nuclear weapons production and testing.

This order builds on the administration’s previously articulated principles and the framework established in the act to ensure the compassionate, fair, and timely compensation of these workers and their families. Specifically, the order defines the respective responsibilities of the Departments of Labor, Health and Human Services, Energy, and Justice; establishes an Advisory Board on Radiation and Worker Health; and creates an interagency group to develop a legislative proposal and address program implementation issues.

While the Nation can never fully repay these workers or their families, they deserve fair compensation for their sacrifices. I am pleased to take the next critical step in ensuring that these courageous individuals receive the compensation and recognition they have long deserved.

Executive Order 13179—Providing Compensation to America's Nuclear Weapons Workers

December 7, 2000

By the authority vested in me as President by the Constitution and the laws of the United States of America, including Public Law 106-398, the Energy Employees Occupational Illness Compensation Program Act of 2000 (Public Law 106-398, the "Act"), and to allocate the responsibilities imposed by that legislation and to provide for further legislative efforts, it is hereby ordered as follows:

Section 1. Policy. Since World War II, hundreds of thousands of men and women have served their Nation in building its nuclear defense. In the course of their work, they overcame previously unimagined scientific and technical challenges. Thousands of these courageous Americans, however, paid a high price for their service, developing disabling or fatal illnesses as a result of exposure to beryllium, ionizing radiation, and other hazards unique to nuclear weapons production and testing. Too often, these workers were neither adequately protected from, nor informed of, the occupational hazards to which they were exposed.

Existing workers' compensation programs have failed to provide for the needs of these workers and their families. Federal workers' compensation programs have generally not included these workers. Further, because of long latency periods, the uniqueness of the hazards to which they were exposed, and inadequate exposure data, many of these individuals have been unable to obtain State workers' compensation benefits. This problem has been exacerbated by the past policy of the Department of Energy (DOE) and its predecessors of encouraging and assisting DOE contractors in opposing the claims of workers who sought those benefits. This policy has recently been reversed.

While the Nation can never fully repay these workers or their families, they deserve recognition and compensation for their sacrifices. Since the Administration's historic announcement in July of 1999 that it intended to compensate DOE nuclear weapons workers who suffered occupational illnesses as a result of exposure to the unique hazards in

building the Nation's nuclear defense, it has been the policy of this Administration to support fair and timely compensation for these workers and their survivors. The Federal Government should provide necessary information and otherwise help employees of the DOE or its contractors determine if their illnesses are associated with conditions of their nuclear weapons-related work; it should provide workers and their survivors with all pertinent and available information necessary for evaluating and processing claims; and it should ensure that this program minimizes the administrative burden on workers and their survivors, and respects their dignity and privacy. This order sets out agency responsibilities to accomplish these goals, building on the Administration's articulated principles and the framework set forth in the Energy Employees Occupational Illness Compensation Program Act of 2000. The Departments of Labor, Health and Human Services, and Energy shall be responsible for developing and implementing actions under the Act to compensate these workers and their families in a manner that is compassionate, fair, and timely. Other Federal agencies, as appropriate, shall assist in this effort.

Sec. 2. Designation of Responsibilities for Administering the Energy Employees' Occupational Illness Compensation Program ("Program").

(a) *Secretary of Labor.* The Secretary of Labor shall have primary responsibility for administering the Program. Specifically, the Secretary shall:

- (i) Administer and decide all questions arising under the Act not assigned to other agencies by the Act or by this order, including determining the eligibility of individuals with covered occupational illnesses and their survivors and adjudicating claims for compensation and benefits;
- (ii) No later than May 31, 2001, promulgate regulations for the administration of the Program, except for functions assigned to other agencies pursuant to the Act or this order;
- (iii) No later than July 31, 2001, ensure the availability, in paper and electronic format, of forms necessary for